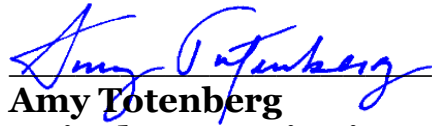


within thirty (30) Days after the entry of judgment.”).¹ Therefore, Defendant’s Bill of Costs is premature. *See Wetherington v. Ameripath, Inc.*, 1:10-CV-1108-AT, 2013 WL 12097825, at *14 (N.D. Ga. Mar. 27, 2013), *aff’d*, 566 F. App’x. 850 (11th Cir. 2014) (“Since the Court has yet to issue a final order on the merits in this case, Dr. Wetherington’s bill of costs is premature.”); *McIntyre v. State Farm Fire & Cas. Co.*, 4:16-CV-0065-HLM, 2017 WL 3461314, at *1 (N.D. Ga. May 8, 2017) (finding that bill of costs filed prior to entry of judgment was premature where summary judgment had been entered in favor of defendant but third-party claims were still pending in case); *Lopez v. Triangle Fire, Inc.*, 15-22209-CIV, 2017 WL 5706000, at *3 (S.D. Fla. Aug. 2, 2017) (citing local rule on time for filing bill of costs and finding that where jury returned verdict in favor of defendants, but a final judgment had not yet been entered in the case, the defendant’s motion for bill of costs was premature); *Mufadhal v. Citimortgage, Inc.*, No. 2:12-CV-10251, 2012 WL 5995838, at *4 (E.D. Mich. Nov. 19, 2012) (“Should the Court enter judgment in favor of defendants, defendants may present a bill of costs to the Clerk of this Court.”); *Love v. Pullman Co.*, Civil Action No. C-899, 1979 WL 202, at *11 (D. Colo. Apr. 25, 1979) (“Leftwich’s bill of costs is premature. If and when a final judgment taxing costs is entered on the docket, a bill of costs may then be filed with the Clerk.”); *see also* N.D. Ga. R. 54.1 (“A bill of costs must be filed by the prevailing party within thirty (30) Days after the entry of judgment.”).

¹ “[A] valid local rule has the force of law.” *Cheshire v. Bank of America, NA*, 351 F. App’x. 386, 388 (11th Cir. 2009) (citing *Weil v. Neary*, 278 U.S. 160, 169 (1929)).

Accordingly, the Court **DENIES WITHOUT PREJUDICE AS PREMATURE** and **DIRECTS** the Clerk to terminate the Curling Plaintiffs' Bills of Costs [Docs. 606, 608 and 609]. Plaintiffs may re-file their bills of costs when the Clerk enters judgment in this action.

IT IS SO ORDERED this 23rd day of October, 2019.



Amy Totenberg
United States District Judge